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# THE PRISONER-OF-WAR ISSUE IN THE KOREAN TRUCE TALKS

Since the spring of 1952 the sole remaining obstacle to a Korean armistice has been the prisoner-of-war issue. The UN Command has been insistent on the principle of voluntary repatriation, while the Communists have insisted on the principle of total repatriation. Since June 1952, however, the Communists have been developing a position which would permit them to compromise on this issue in fact if not in principle.

In June 1952 Chinese Communist Premier Chou En-lai expressed interest in an Indian proposal for releasing from UN control and then interviewing prisoners unwilling to be repatriated. Communist negotiators at Panmunjom were unwilling to explore this plan, however, and in July Chou En-lai, approached again, stated that he was no longer interested in it.

In October 1952, the Communists at Panmunjom rejected three variations of a UN proposal for voluntary repatriation of prisoners, whereupon the UN suspended the talks. In protesting the suspension, the Communists for the first time publicly stated that the repatriation procedure was open to discussion.

In November 1952, while Soviet spokesmen were publicly insisting on the principle of total repatriation, Soviet officials at the UN privately expressed interest in compromise resolutions on the prisoner issue being drafted by several states. On 17 November, India introduced a resolution calling for establishment of a repatriation commission, the exchange of prisoners willing to be repatriated, a period of 90 days in which the Communists would have access to prisoners unwilling to return, and disposition by a political conference (agreed to in the draft armistice terms) of those prisoners who remained unwilling to return. The Indians felt, on the basis of their conversations with Communist officials, that this proposal might be acceptable to the Communists.

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On 19 November, however, the Indian delegate, at the instigation of the United States, suggested amending his resolution to provide for return of the prisoners to UN control if the political conference could not decide their fate in a short period (first 60 and then 30 days). This amendment was included in a redrafted resolution on 23 November.

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On 4 February 1953 Chou En-lai publicly reaffirmed his rejection of the Indian plan. On 17 February Soviet Premier Stalin, in an interview with the Indian Ambassador in Moscow, showed little interest in the Indian plan. On 2 March Vyshinsky stated that the only way to end the Korean war was to "accept the Communist terms."

On 9 March, however, Soviet Premier Malenkov, at Stalin's funeral, commented on the "defensive" character of the Korean war, and on 15 March he stated that there is no problem which cannot be settled "in a peaceful way." On 18 March Moscow made the first of three agreements to secure the release of British, French and American civilians interned in North Korea. On 28 March the Communists finally accepted the UN proposal to exchange disabled prisoners, and on 30 March Chou En-lai, a few days after returning from Moscow, proposed settling the "entire question of prisoners-of-war" by repatriating immediately those willing to return and turning the unwilling over to a neutral state for "explanations." Soviet officials were quick to endorse Chou's proposal both publicly and privately.

On 26 April the senior Communist negotiator at Panmunjom proposed repatriation within two months of an armistice of all prisoners willing to return, subsequent transfer of the unwilling to a neutral state for six months of "explanations," and disposition by the post-armistice political conference of those remaining unwilling after "explanations." This proposal was similar to the Indian plan of 17 November, but critically different from the UN-endorsed plan of 3 December, which included the amendment returning the unwilling to UN control if the political conference could not agree in 30 days.

On 7 May the Communists proposed a 5-nation custodial commission (the four states named in the Indian plan plus India), withdrew the demand for physical transfer of the prisoners to a neutral state, asked four months for "explanations," and reaffirmed the demand that the political conference decide the fate of prisoners remaining unwilling, with no

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deadline on such discussion. On 14 May the Communists flatly rejected a UN proposal to release, as soon as an armistice is signed, the Korean prisoners unwilling to be repatriated, and to release the Chinese prisoners who remained unwilling after 60 days of Communist access to them.

On 25 May the UN Command presented the Communists at Panmunjom with a new proposal closely approximating the amended Indian plan endorsed by the UN General Assembly on 3 December 1952. When the proposal was presented, the senior Communist negotiator commented unfavorably on the critical point regarding the ultimate disposition of prisoners unwilling to return. He stated that the UN's alternative proposals on this point -- to release the prisoners in Korea, or to transfer the prisoners issue to the UN General Assembly, if the political conference could not agree on their fate in 30 days -- "could not be agreed to."

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The Communists were expected, in their reply of 4 June, to accept several points in the UN's current proposals: transfer of the Korean as well as Chinese unwilling to the custodial commission, and operation of the commission by majority vote (both of these proposals met previous Communist demands), and employment by the custodial commission of Indian armed forces alone, rather than introducing forces from Communist states on the custodial commission. Press accounts of the Communist statement of 4 June indicate that the Communists have in fact accepted all of these points.

The Communists were expected to seek a longer period of access to the prisoners than the 90 days offered by the UN, but to settle, sooner or later, for that period. The press states that the Communists have accepted the 90 days without haggling. They were also expected to seek greater freedom of access to the prisoners than the UN had offered, i.e., a higher proportion of propagandists to prisoners, and more freedom of operation by those propagandists. The press suggests that the Communists have in fact sought more generous terms in these respects, but have not made this a major issue.

On the critical point, the Communists were expected to reject both of the UN's alternative proposals on the ultimate disposition of prisoners unwilling to return, and to reaffirm their demand for indefinite consideration of the prisoners' fate by the political conference, where release of the prisoners could be blocked. It was speculated that, under UN pressure, the Communists might offer an alternative proposal for disposition of the prisoners by majority vote of the

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five-nation custodial commission, with India in the key spot. It was further speculated that the Communists, under further pressure, such as a threat of intensified or expanded hostilities, might eventually accept one of the UN proposals, although they would be expected to come to this only after long and bitter negotiations.

The press does not make clear the Communist position on this critical point. The Communists evidently did not reaffirm their demand for indefinite consideration of the prisoners' fate by the political conference, but they evidently have not accepted either of the UN's alternative proposals as originally put forward.

Pending clarification of the Communist position on the final critical point, it is not clear whether the Communists intend to gamble on the success of their "explanations" under favorable conditions, or whether they will continue to seek some means of blocking the release of the prisoners who remain unwilling after such "explanations." The Communists have repeatedly expressed confidence that, under favorable conditions, the great majority of the 48,500 prisoners now classed as unwilling to return could be induced to change their minds, and that the few thousands remaining intransigent could be explained away as "special agents" or their victims. They have nevertheless persistently sought insurance against the possibility that their "explanations" would not be successful. If the Communists have genuinely agreed to release the prisoners who remain unwilling, they have decided that to gamble on the success of their "explanations" is the most attractive gamble open to them.

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## RHEE'S INTENTIONS

President Rhee's opposition to an armistice stems primarily from his firm conviction that the unification of Korea can be accomplished only by military action. He has no confidence that a political conference will lead to a united democratic Korea. Rhee fears that Chinese-Russian power at the Korean border would eventually force a divided Korea to come entirely under Communist control. His attitude is shared by all the top Korean political leaders.

Rhee's probable immediate objectives are to secure a US military commitment, involving both a guarantee of assistance in the event of a future attack and a build-up of South Korea's defense forces, to influence the decisions being taken both at Panmunjom and at the later political conference, and to insure South Korea's participation in the future discussions.

While Rhee's threat to order an independent northward thrust cannot be entirely discounted, he is not likely at this time to take a step which he undoubtedly recognizes as militarily unrealistic, and which would completely isolate South Korea from US/UN support. It is also doubtful that his military commanders would carry out such an order while the Chinese military forces are still present, and while they are under UN operational control. Action to withdraw his troops from UN control, to release unilaterally the Korean POW's and to declare South Korea not bound by the armistice agreement are a distinct possibility.

It is believed that Rhee's 30 May letter to President Eisenhower was the hasty product of emotionalism. It bears little relationship to the discussions at Panmunjom, and probably was designed primarily to emphasize his demands for an American security arrangement and for the removal of the Chinese, and to maximize South Korea's voice in future decisions.

While Rhee might agree to cooperate in exchange for a bilateral security pact, he probably will never consider South Korea bound by the current armistice agreement, particularly that part of it which involves the Korean POW's. That he will at some future time violate its provisions is a very real possibility, particularly if he regains operational control of the army.

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### INDICATIONS OF AN ENEMY OFFENSIVE

Available intelligence indicates that the Communists do not intend to launch a major offensive at this time. This conclusion is based on the following tactical considerations:

No heavy movement of reserves or supplies forward near the front lines has been noted; artillery and arms continue to be employed defensively; Communist engineering activity is concentrated on defensive structures both on the front and along the coasts; POW's continue to report that their mission is defensive.

It is probable that the enemy plans a continuation of his present active defensive mission, which includes limited objective attacks of one to two divisions in aggregate strength. POW's state the purpose of these attacks is to capture key terrain features immediately prior to a cease-fire, destroy and capture UN equipment and to take prisoners. An additional purpose may be to exert pressure on the truce talks.

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